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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)

01218/100C494-US6

In re Application of: **Stephen J. KENNEDY**Application No.: **10/801,331**Filed: **March 15, 2004**For: **COMPOSITE STEEL STRUCTURAL PLASTIC SANDWICH PLATE SYSTEMS**

The owner*, Fern Investments Limited, of 100
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any
patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any
patent granted on pending reference Application Number 10/138,919, filed on May 3, 2002
as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be
shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby
agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the
patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant
application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application
that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said
reference application, "as the term of any patent granted on said reference application may be shortened by any terminal
disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on
the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of
competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a
reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by
any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency,
etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and
belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like
so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful
false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 35,418
Pierre Yanney 1-4-2005
Signature Date
Pierre Yanney
Typed or printed name
(212) 527-7700
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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